

## RESOLUTION NO. SA-14-42

**A RESOLUTION OF THE IMPERIAL BEACH REDEVELOPMENT AGENCY SUCCESSOR AGENCY CONDITIONALLY AUTHORIZING THE ALLOCATION OF \$1,274,584 OF 2010 TAX ALLOCATION BOND PROCEEDS (BOND PROCEEDS) FOR THE ALLEY IMPROVEMENT PROJECT (CIP PROJECT S14-104) SUBJECT TO PLACEMENT OF THE PROJECT AND EXPENDITURE OF SAID BOND PROCEEDS ON THE NEXT RECOGNIZED OBLIGATION PAYMENT SCHEDULE (ROPS 14-15B) AND OBTAINING THE REQUIRED APPROVAL BY THE OVERSIGHT BOARD AND CALIFORNIA DEPARTMENT OF FINANCE FOR THE EXPENDITURE OF THE BOND PROCEEDS TOWARD THE PROJECT**

**WHEREAS**, unimproved (dirt and asphalt) Alley blocks within the City and its Redevelopment Project Area have been a matter of concern of the City Council, the former Imperial Beach Redevelopment Agency and now the Imperial Beach Redevelopment Agency Successor Agency (Successor Agency) and the City's residents for many years; and

**WHEREAS**, on January 15, 2014, the City Council adopted Resolution 2014-7451 approving the City of Imperial Beach Five Year Capital Improvements Program (CIP) and the initial funding necessary to implement the Two Year Implementation Schedule; and

**WHEREAS**, Resolution No. 2014-7451 included \$50,000 to be allocated for "Alley Improvements" from the Strategic Reserve Balance to complete pre-engineering for unpaved alleys; and

**WHEREAS**, Resolution No. 2014-7453, also adopted on January 15, 2014, approved Council Policy 616(A) which provided for a methodology to establish priorities for alley paving within the Capital Improvement Program; and

**WHEREAS**, pursuant to Council Policy 616(A), alleys were ranked according to the greatest public purpose and public benefits that would result by their improvement; and

**WHEREAS**, pursuant to Council Policy 616(A), the public purpose and public benefit criteria used to rank the alleys included:

1. An unpaved alley that inhibits the timely and effective provision of public safety services including police, fire and ambulatory services.
2. An unpaved alley that causes, or could cause, damage to or impact the effectiveness of an existing public infrastructure system including storm drainage, sanitary sewer systems, drinking water systems, public power and gas services, or degradation of public road surfaces.
3. An unpaved alley that inhibits safe and sanitary primary access to an existing residence.
4. An unpaved alley that presents a significant negative aesthetic impact that could result in lower property values in the surrounding area or in the general community.
5. An unpaved alley that could improve the circulation pattern of a particular neighborhood.
6. An unpaved alley that is used for secondary access to properties; and

**WHEREAS**, the rankings of unpaved alleys is complete; and

**WHEREAS**, pursuant to public purpose and public benefit criteria, the 14 alleys with the greatest public purpose and public benefit resulting from their improvement are:

1. Alley # 12 – access from Elm & Elder Avenues between 10th & 11th Streets
2. Alley # 13 – access from Elder & Ebony Avenues between Emory & 9th Streets

3. Alley # 14 – access from Ebony & Imperial Beach Blvd. between 9th & Emory Streets
4. Alley # 15 – access from Ebony & Imperial Beach Blvd. between Emory & 10th Streets
5. Alley # 16 – access from Ebony & Imperial Beach Blvd. between 10th & 11th Streets
6. Alley # 18 – access from Ebony & Imperial Beach Blvd. between 11th & Florida Streets
7. Alley # 19 – access from Ebony & Imperial Beach Blvd. between Florida & 12th Streets
8. Alley # 32 – access from 11th & Florida Streets between Imperial Beach Blvd & Fern Ave.
9. Alley # 33 – access from Fern Avenue between 11th & Florida Streets
10. Alley # 34 – access from Fern Avenue between Florida & 12th Streets
11. Alley # 35 – access from Imperial Beach Blvd. & Fern Avenue between 12th & Florence Street
12. Alley # 36 – access from Fern & Grove Avenues between 12th and Florence Streets
13. Alley # 49 – access from Elm & Elder Avenues between 12th & Florence Streets
14. Alley # 50 – access from Elder & Ebony Avenues between 12th & 13th Streets; and

**WHEREAS**, Exhibit A to Resolution No. 2014-7451 proposed initiating alley improvements using \$500,000 from the New Strategic Capital Improvement General Fund Reserve, although this amount was not appropriated; and

**WHEREAS**, subsequent to the January 15, 2014 City Council meeting, staff identified \$1,274,584 of 2010 Redevelopment Tax Allocation Bond Proceeds being held in Trust by Bond Trustee Wells Fargo that, upon request, could be made available for eligible projects; and

**WHEREAS**, on April 12, 2013, a Finding of Completion was issued to the Successor Agency by the California Department of Finance (DOF). Pursuant to Section 34191.4(c) of the Dissolution Act which, among other provisions, allows the 2010 Tax Allocation Bond Proceeds to be used in a manner consistent with the original bond covenants and to be listed separately on a Recognized Obligation Payment Schedule (ROPS) submitted by the Successor Agency; and

**WHEREAS**, the 2010 Tax Allocation Bond covenants specifically identify “street and alley improvements” as projects eligible to be financed with available bond proceeds; and

**WHEREAS**, staff recommends that the 2010 Redevelopment Tax Allocation Bond Proceeds be conditionally allocated to fund the Alley Improvement Project as a more appropriate funding source for alley improvements than the New Strategic Capital Improvement General Fund Reserve subject to placement of the Alley Improvement Project and the expenditure of said Bond Proceeds on the next ROPS 14-15B and obtaining the required approval by the Oversight Board and the DOF for the expenditure of Bond Proceeds toward the Project; and

**WHEREAS**, staff recommends that these alleys be paved consistent with City’s adopted alley construction standards found in the Regional Standard Drawings, San Diego Region – concrete pavement; and

**WHEREAS**, alley improvement drawings were previously prepared by the City Engineer under the standards effective in 2006; and

**WHEREAS**, these drawings need to be updated to the current physical conditions and the current environmental standards before advertising for bids; and

**WHEREAS**, the 2006 construction estimate for the paving of the above 14 alley blocks was \$1,293,000 which is very close to the amount of available Tax Allocation Bond Proceeds discussed herein and conditionally recommended to be allocated for this project;

**NOW, THEREFORE, BE IT RESOLVED** by the Imperial Beach Redevelopment Agency Successor Agency as follows:

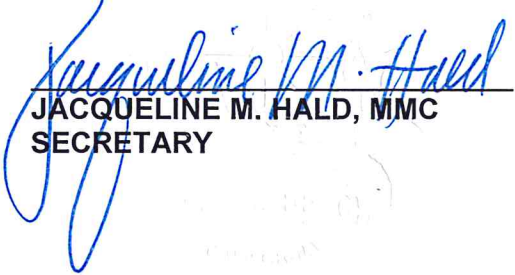
1. The above recitals are true and correct.
2. That the Alley Improvement Project (CIP Project S14-104) consisting of the paving of the fourteen (14) alleys listed herein and the expenditure of \$1,274,584 of 2010 Redevelopment Tax Allocation Bond Proceeds for said Project shall be placed on the Successor Agency's Recognized Obligation Payment Schedule (ROPS) 14-15B in order to obtain the required approval by the Oversight Board and the DOF for the expenditure of Bond Proceeds toward the Project.
3. That paving of the fourteen (14) alleys listed herein will provide the greatest public purpose and public benefits to the City and the Redevelopment Project Area as provided for under City Council Policy 616(A).
4. That \$1,274,584 of 2010 Redevelopment Tax Allocation Bond Proceeds is conditionally allocated toward the design and construction of the Alley Improvement Project (CIP Project S14-104), as provided by Section 34191.4(c) of the Dissolution Act and pursuant to the DOF's issued Finding of Completion, subject to placement of the Alley Improvement Project and the expenditure of said Bond Proceeds on the next ROPS 14-15B and obtaining the required approval by the Oversight Board and the DOF for the expenditure of Bond Proceeds toward the Project.

**PASSED, APPROVED, AND ADOPTED** by the Imperial Beach Redevelopment Agency Successor Agency at its meeting held on the 4th day of June 2014, by the following vote:

<b>AYES:</b>	<b>BOARD MEMBERS:</b>	<b>BRAGG, SPRIGGS, BILBRAY, PATTON, JANNEY</b>
<b>NOES:</b>	<b>BOARD MEMBERS:</b>	<b>NONE</b>
<b>ABSENT:</b>	<b>BOARD MEMBERS:</b>	<b>NONE</b>

  
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**JAMES C. JANNEY, CHAIRPERSON**

**ATTEST:**

  
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**JACQUELINE M. HALD, MMC**  
**SECRETARY**